

*Shu*  
*2663/18*

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/092,661

Filing Date

March 6, 2002

First Named Inventor

Dan A. PRESTON

Art Unit

2663

Examiner Name

Inder P. Mehra

Attorney Docket Number

44375/4:10

### ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a  
Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

Return receipt postcard.

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Stoel Rives LLP, 900 SW Fifth Avenue, Suite 2600, Portland, Oregon 97204

Signature

*Micah D. Stolowitz*

Printed name

Micah D. Stolowitz

Date

January 17, 2006

Reg. No.

32,758

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*George Painter*

Typed or printed name

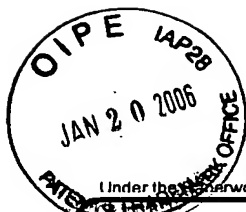
George Painter

Date

January 17, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/092,661
Filing Date	March 6, 2002
First Named Inventor	Dan A. PRESTON
Examiner Name	Inder P. Mehra
Art Unit	2663
Attorney Docket No.	44375/4:10

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-4455 Deposit Account Name: Stoel Rives LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200	100
-----	-----

Multiple dependent claims

360	180
-----	-----

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

**Fees Paid (\$)**

180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	32,758	Telephone	(503) 294-9189
Name (Print/Type)	Micah D. Stolowitz	Date	January 17, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Dan A. PRESTON**

Confirmation No. 1343

Application No. 10/092,661

Filed: March 6, 2002

For: **A CELLULAR TELEPHONE HAVING  
IMPROVED IN-BAND SIGNALING  
FOR DATA COMMUNICATIONS  
OVER DIGITAL WIRELESS  
TELECOMMUNICATIONS  
NETWORKS**

Group Art Unit: 2663

Examiner: Inder P. Mehra

Date: January 17, 2006

INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

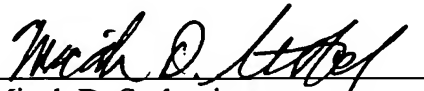
1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.
  - ☒ Copies of listed U.S. patents and U.S. patent application publications are not required for submission. (37 C.F.R. § 1.98(a)(2)(ii))
  - ☒ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
  - ☐ Copies of the documents listed at (sheet/cite no.) \_\_\_\_\_ of the attached Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. \_\_\_\_\_, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))
  - ☐ A copy of copending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, for \_\_\_\_\_, listed at (sheet/cite no.) \_\_\_\_\_ of the attached Form PTO-1449 (or equivalent), ☐ is enclosed / ☐ is omitted. (Copy not required if available via IFW. 1287 OG 163 (Oct. 19, 2004).).
2. This information disclosure statement is being submitted (check box a., b., or c.):
  - a. ☐ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued

examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or

- b. ☒ After the period set forth in paragraph 2a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☒ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
3. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
4. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below.

Respectfully submitted,

**Airbiquity, Inc.**

By   
Micah D. Stolowitz  
Registration No. 32,758

STOEL RIVES LLP  
900 SW Fifth Avenue, Suite 2600  
Portland, OR 97204-1268  
Telephone: (503) 224-3380  
Facsimile: (503) 220-2480  
Attorney Docket No. 44375/4:10

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
44375/4:10APPLICATION NO.  
10/092,661INFORMATION DISCLOSURE CITATION  
(Uses several sheets if necessary)APPLICANT  
Dan A PRESTONFILING DATE  
March 6, 2002GROUP  
2663

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	EP 0 242 099 A2	10/21/87	EPO				
	AM	EP 512 789 A2	11/11/92	EPO				
	AN	EP 0 528 090 A1	2/24/93	EPO				
	AO	EP 0 545 783 A1	6/9/93	EPO			X	
	AP	DE 4424412	1/18/96	Germany			X	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AQ	International Search Report, PCT/US00/13288, 11/17/2000
	AR	International Search Report, PCT/US01/20221, 8/21/2001
	AS	Coleman et al., "Subjective Performance Evaluation of the RPE-LTP Codec for the Pan-European Cellular Digital Mobile Radio System," <i>IEEE</i> , 1989, pp. 758-761. (Best available copy)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
44375/4:10APPLICATION NO.  
10/092,661INFORMATION DISCLOSURE CITATION  
(Uses several sheets if necessary)APPLICANT  
Dan A PRESTONFILING DATE  
March 6, 2002GROUP  
2663

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA						
	BB						
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						
	BK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BL	WO89/12835	12/28/89	PCT				
	BM	WO95/21511	8/10/95	PCT				
	BN	WO96/15636	5/23/96	PCT				
	BO	WO96/18275	6/13/96	PCT				
	BP	WO98/53573	11/26/98	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	BQ	Lin et al., "Data Compression of Voiceband Modem Signals," <i>IEEE</i> , 1990, pp. 323-325. (Best available copy)
	BR	Mueller et al. "A DSP Implemented Dual 9600/7200 bps TCM Modem for Mobile Communications Over FM Voice Radios," <i>IEEE</i> , 1997, pp. 758-761. (Best available copy)
	BS	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
44375/4:10APPLICATION NO.  
10/092,661INFORMATION DISCLOSURE CITATION  
(Uses several sheets if necessary)APPLICANT  
Dan A PRESTONFILING DATE  
March 6, 2002GROUP  
2663

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
	CH						
	CI						
	CJ						
	CK						

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	CL	WO98/59257	12/30/98	PCT				
	CM	WO99/36795	7/22/99	PCT				
	CN	WO99/49677	9/30/99	PCT				
	CO	WO99/56143	11/4/99	PCT				
	CP	WO99/56144	11/4/99	PCT				
	CQ	WO00/11893	3/2/00	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	CR	
	CS	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.